IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

THURSDAY, THE 8TH FEBRUARY 2007 / 19TH MAGHA 1928

WP(C).No. 31311 of 2006(C)

PETITIONER:

SAFNA S.P.,
SAFIYA MANZIL, PUTHIYANGADI, KOYA ROAD,
WEST HILL P.O., KOZHIKODE.

BY ADV. SRI.P.V.KUNHIKRISHNAN
SRI.P.S.PRADEEP

RESPONDENTS:
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1. THE COMMISSIONER FOR ENTRANCE
EXAMINATIONS, GOVERNMENT OF KERALA,
THIRUVANANTHAPURAM.

2. THE REGISTRAR,
UNIVERSITY OF CALICUT, CALICUT UNIVERSITY P.O.,
KOZHIKODE.

3. THE PRINCIPAL,
GOVERNMENT LAW COLLEGE,
CALICUT.

4. STATE OF KERALA, REPRESENTED BY
ITS SECRETARY, EDUCATION DEPARTMENT,
THIRUVANANTHAPURAM.

R2 BY ADV. SRI.P.C.SASIDHARAN, SC

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 08/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

P1: COPY OF THE COMMUNITY CERTIFICATE ISSUED BY THE VILLAGE OFFICER TO THE PETITIONER DT.7.9.02.

P2: COPY OF THE PROVISIONAL DEGREE CERTIFICATE ISSUED BY CALICUT UNIVERSITY DT.8.11.2006.

P3: COPY OF THE PROSPECTUS FOR ADMISSION TO THREE YEAR LLB COURSE 2006-07 IN THE GOVERNMENT COLLEGES IN KERALA DT.NIL.

P4: COPY OF THE ADMIT CARD FOR THE ENTRANCE EXAMINATION.

P5: COPY OF THE SELECTION MEMO DT.2.11.2006.

P6: COPY OF THE FEE RECEIPT ISSUED BY THE CANARA BANK DT.2.11.2006.

P7: COPY OF THE LETTER ISSUED BY R3 TO R1 DT.9.11.2006.

P8: COPY OF THE LETTER ISSUED BY R2 TO R3 DT.14.11.2006.

P9: COPY OF THE REPRESENTATION SUBMITTED BY PETITIONER TO R1 DT.17.11.2006.

P10: COPY OF THE RE-ALLOTMENT DETAILS PUBLISHED BY R1 DT.21.11.2006.

P11: COPY OF ORDER DT.26.7.2003 OF THE UNIVERSITY OF CALICUT.

P12: COPY OF LETTER DT.23.2.2005 OF THE UNIVERSITY REGISTRAR TO THE PRINCIPAL SECRETARY TO GOVERNMENT.

TRUE COPY

P.A. TO JUDGE

C.N.RAMACHANDRAN NAIR, J.

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W.P.(C) No31311 of 2006

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Dated this the 8th day of February, 2007.

JUDGMENT

Petitioner was admitted to LL.B. course without the required minimum marks. The petitioner has produced order of the Vice Chancellor of University stating that there is relaxation of 5% marks for students belonging to the Backward community. Standing Counsel for the University submitted that the Academic Council and the University Syndicate have not approved the relaxation from minimum marks recommended for OBC students. However, since petitioner is admitted under interim orders of this court and since there is already recommendation, I direct the respondents to regularise the admission given to the petitioner. However, there will be direction to the University to refer the matter to the Academic Council and to the Syndicate for finalisation of decision before admissions are given for the next batch.

W.P. is disposed of as above.

C.N.RAMACHANDRAN NAIR
Judge

pms